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In re Patent Application of:

Juan Manuel de la Fuente

Atty. Docket No. TJK/137

Serial No: 09/701,589

Group Art Unit: 1655

Filing Date: November 29, 2000

Examiner: Taylor, J.

Title: PROCESS FOR OBTAINING TRANSGENIC PLANTS
WHICH HAVE AN IMPROVED NUTRIENT UPTAKE CAPACITY AND
TOLERANCE TO TOXIC COMPOUNDS PRESENT IN SOILS

Assistant Commissioner for Patents & Trademarks
Washington, D.C. 20231

**AFFIDAVIT CONCERNING CONTRIBUTION OF LUIS HERRERA
ESTRELLA TO ARTICLE ENTITLED "ALUMINUM TOLERANCE IN
TRANSGENIC PLANTS BY ALTERATION OF CITRATE SYNTHESIS"**

1. This affidavit is to establish Luis Herrera-Estrella's contribution to an article appearing in Science magazine dated June 6, 1997 entitled "Aluminum Tolerance in Transgenic Plants by Alteration of Citrate Synthesis"
2. The person making the affidavit is one of the co-authors of the article.
3. The subject matter of the article relating to whether increased citrate production and release in transgenic plants could confer aluminum tolerance originated with Mr. Estrella.
4. It was Mr. Estrella's idea to produce transgenic tobacco and papaya plants that overexpress a citrate synthase (CS) gene from *Pseudomonas aeruginosa* in their cytoplasm.
5. As the person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FURTHER AFFIANT SAYETH NOT.

Juan M. De la Fuente

Juan Manuel de la Fuente

SWORN AND SUBSCRIBED to me
On this 23 day of 10, 2001.

LIC. JOSE ARRACHE HERNANDEZ, NOTARIA PÚBLICA NUMERO 43 CUARENTA Y TRES, EN LEGAL EJERCICIO EN ESTE PARTIDO JUDICIAL DE Irapuato, GUANAJUATO.

NOTARY PUBLIC

